

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

DANIEL LEE KNOD, #1593785

§

VS.

§

CIVIL ACTION NO. 6:11cv140

DIRECTOR, TDCJ-CID

§

ORDER ADOPTING REPORT AND RECOMMENDATION


The above-entitled and numbered petition for habeas corpus pursuant to 28 U.S.C. § 2254 was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Magistrate Judge filed a Report and Recommendation (docket entry #30) that Petitioner's Motion for Leave to File and Interlocutory Appeal (docket entry #23) be denied. Petitioner has filed objections.

Having made a *de novo* review of the objections raised by Petitioner to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and Petitioner's objections are without merit. Specifically, Petitioner has simply incorporated by reference other objections he had made previously (*see* docket entry #25). The Court finds his objections to be without merit. It is therefore

**ORDERED** that Petitioner's Motion for Leave to File and Interlocutory Appeal (docket entry #23) is hereby **DENIED**. It is further

**ORDERED** that the Petitioner's concurrent Motion for a Certificate of Appealability is hereby  
**DENIED** as **MOOT**.

**SIGNED** this 14th day of March, 2012.

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE